

## **DETAILED ACTION**

### ***Response to Amendment***

1. This Office Action is in response to Amendment filed on date: 07/29/2009.  
Claims 36, 37, 41-44, 48-58, 61-68 and 71-74 are still pending.  
Claims 1-35, 38-40, 45-47, 59-60 and 69-70 have been cancelled.

### ***Response to Arguments***

2. Rejection under 35 U.S.C. 101

Applicant has amended claims 51, 52, 73 and 74 to overcome the 101 rejection. It is noted that claimed limitation "A computer readable medium" is interpreted as a memory device (for support see "The program code mentioned above can also be provided on a data carrier such as a CD ROM disc 52 as depicted in FIG. 6 or an insertable memory stick" of [0097] and fig. 6).

#### Rejection under 35 U.S.C. 102

Applicant argued that "PAAKKONEN does not disclose or suggest selecting, by a calling party, at least one call relevance flag for use in alerting a called party of a phone call, the at least one relevance flag indicating a mood of the calling party" (see REMARKS page 12). The examiner respectfully disagrees with the applicant's argument. Paakkonen teaches that the calling party can select a specific alerting message (read on the claimed limitation "call relevance flag") for use in alerting a called party of an coming call (see [0024] and [0042]). It was stated that Paakkonen does not specifically disclose the at least one relevance flag indicating a mood of the calling

party. However, Paakkonen teaches that the calling party can select a specific alerting message such as a specific ringing image which can be a picture ("a ringing image identifier may be selected by the user of the originating mobile station 100 from a plurality of ringing image identifiers stored in station 100 and transmitted as part of the ringing image call setup message 102" see [0026]) and/or text ("selecting one or more files such as audio, images/video, text, etc." see [0042] and "each ringing image may include data comprising a combination of sound and images/video coupled with text together with a format for presenting such multimedia to the user" see [0031]); therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the teaching of Paakkonen for sending a specific alerting message to the called party in such a way that the called party can perceive a mood of the calling party based on the sense of the alerting message, which can be selected from pre-stored information or written by the calling party. Thus increasing the quality of service as the called party can predict or perceive the mood of the calling party before he/she accepts the call.

Applicant argued that "the Examiner does not explain how incorporating the ability of a calling party to select at least one call relevance flag for use in alerting a called party of a phone call, where the at least one relevance flag indicates a mood of the calling party into the PAAKKONEN system would increase the quality of service". The examiner respectfully disagrees with the applicant's argument. It is clearly explained (see previous Office Action mailed 06/05/2009) that one can use the teaching

of selecting a specific ringing image (read on the claimed limitation "call relevance flag") being a picture (see [0026]) which can show the mood of the calling party and/or a specific text (see [0042]) can be written by the calling party to show his/her mood. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the teaching of Paakkonen to indicating a mood of the calling party as the calling party having a choice to send a specific picture or specific note to show the calling party's mood such as angry, sad, happy, content, nervous, anxious and scared, so that the quality of service can be increased because the called party can see, predict or perceive the specific mood of the calling party before he/she accepts the call.

With all explanations of above, the rejection is deemed proper and still stands.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 36, 37, 41-44, 48-58, 61-68 and 71-74 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paakkonen (US 2004/0121818; previously cited).

Regarding claim 36, Paakkonen discloses a method of sending a call relevance flag ("send a ringing image call set-up message" see [0024] and [0026]; or "flag" see

[0028] and [0047]) with a call for use in alerting a called party (fig. 8, step 812 and [0048]-[0049]), the method comprising:

selecting, by a calling party, at least one call relevance flag ("a ringing image identifier may be selected by the user of the originating mobile station" see [0026]) for use in alerting a called party of a phone call (fig. 8, step 812 and [0048]-[0049]),

setting up a voice connection to a called party phone ("originating mobile station 100 to initiate call establishment" see [0025]), and

transmitting said at least one call relevance flag to the called party phone during the setting up of the voice connection ("transmitted to terminating mobile station 130 in connection with call establishment" see [0024]), such that the call relevance flag can be used for selecting a manner of alerting the called party of the phone call provided over the voice connection (fig. 8, step 812 and [0048]-[0049]).

Paakkonen does not specifically disclose the at least one relevance flag indicating a mood of the calling party. However, Paakkonen teaches that the calling party can select a specific alerting message (read on the claimed limitation "call relevance flag") such as a specific ringing image which can be a picture ("a ringing image identifier may be selected by the user of the originating mobile station 100 from a plurality of ringing image identifiers stored in station 100 and transmitted as part of the ringing image call setup message 102" see [0026]) and/or text ("selecting one or more files such as audio, images/video, text, etc." see [0042] and "each ringing image may include data comprising a combination of sound and images/video coupled with text together with a format for presenting such multimedia to the user" see [0031]);

therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the teaching of Paakkonen for sending a specific alerting message to the called party in such a way that the called party can perceive a mood of the calling party based on the sense of the alerting message, which can be selected from pre-stored information or written by the calling party. Thus increasing the quality of service as the called party can predict or perceive the mood of the calling party before he/she accepts the call.

Regarding claim 37, Paakkonen discloses the method according to claim 36, where the flag is transmitted during a signaling phase for setting up the connection ("transmitted to terminating mobile station 130 in connection with call establishment" see [0024]).

Regarding claim 41, Paakkonen discloses the method according to claim 36, except wherein the mood is a mood in a group including angry, sad, happy, content, nervous, anxious and scared. However, Paakkonen teaches that the calling party can select a specific ringing image (read on the claimed limitation "call relevance flag") which can be a picture ("a ringing image identifier may be selected by the user of the originating mobile station 100 from a plurality of ringing image identifiers stored in station 100 and transmitted as part of the ringing image call setup message 102" see [0026]) and/or text ("selecting one or more files such as audio, images/video, text, etc." see [0042] and "each ringing image may include data comprising a combination of

sound and images/video coupled with text together with a format for presenting such multimedia to the user" see [0031]); therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the teaching of Paakkonen to indicating a mood of the calling party as the calling party having a choice to send a specific picture or specific note to show the calling party's mood such as angry, sad, happy, content, nervous, anxious and scared, so that the called party can see it before the called party accepts the call; thus increasing the quality of service.

Regarding claim 42, Paakkonen discloses the method according to claim 36, further comprising:

selecting at least one media object for use in alerting the called party ("a ringing image identifier may be selected by the user of the originating mobile station" see [0026]), and

transmitting the at least one media object to the called party phone during the setting up of the voice connection ("transmitted to terminating mobile station 130 in connection with call establishment" see [0024]), such that the called party can use the media object when being alerted about the phone call provided over the connection (fig. 8, step 812 and [0048]-[0049]).

Regarding claim 43, Paakkonen discloses a portable communication device (fig. 3) for sending a call relevance flag ("send a ringing image call set-up message" see [0024] and [0026]; or "flag" see [0028] and [0047]) with a call ("transmitted to terminating

mobile station 130 in connection with call establishment" see [0024]) for use in alerting a called party (fig. 8, step 812 and [0048]-[0049]), the portable communication device comprising:

a control unit (fig. 3, 320) to receive a selection by a user of at least one call relevance flag ("a ringing image identifier may be selected by the user of the originating mobile station" see [0026]) to be used in selecting a manner of alerting a called party of a phone call (fig. 8, step 812 and [0048]-[0049]), and

a communication unit (fig. 3) to set up a voice connection to a called party phone ("originating mobile station 100 to initiate call establishment" see [0025]), and transmit the call relevance flag to the called party phone during the setting up of the voice connection ("transmitted to terminating mobile station 130 in connection with call establishment" see [0024]).

Paakkonen does not specifically disclose the call relevance flag indicating a mood of the user. However, Paakkonen teaches that the calling party can select a specific alerting message (read on the claimed limitation "call relevance flag") such as a specific ringing image which can be a picture ("a ringing image identifier may be selected by the user of the originating mobile station 100 from a plurality of ringing image identifiers stored in station 100 and transmitted as part of the ringing image call setup message 102" see [0026]) and/or text ("selecting one or more files such as audio, images/video, text, etc." see [0042] and "each ringing image may include data comprising a combination of sound and images/video coupled with text together with a format for presenting such multimedia to the user" see [0031]); therefore, it would have

been obvious to one of ordinary skill in the art at the time the invention was made to use the teaching of Paakkonen for sending a specific alerting message to the called party in such a way that the called party can perceive a mood of the calling party based on the sense of the alerting message, which can be selected from pre-stored information or written by the calling party. Thus increasing the quality of service as the called party can predict or perceive the mood of the calling party before he/she accepts the call.

Regarding claim 44, Paakkonen discloses the portable communication device according to claim 43, where the communication unit is to transmit the call relevance flag during a signaling phase for setting up the connection ("transmitted to terminating mobile station 130 in connection with call establishment" see [0024]).

Regarding claim 48, Paakkonen discloses the portable communication device according to claim 43, except where the mood is a mood in a group including angry, sad, happy, content, nervous, anxious, and scared. However, Paakkonen teaches that the calling party can select a specific ringing image (read on the claimed limitation "call relevance flag") which can be a picture ("a ringing image identifier may be selected by the user of the originating mobile station 100 from a plurality of ringing image identifiers stored in station 100 and transmitted as part of the ringing image call setup message 102" see [0026]) and/or text ("selecting one or more files such as audio, images/video, text, etc." see [0042] and "each ringing image may include data comprising a combination of sound and images/video coupled with text together with a format for



presenting such multimedia to the user" see [0031]); therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the teaching of Paakkonen to indicating a mood of the calling party as the calling party having a choice to send a specific picture or specific note to show the calling party's mood such as angry, sad, happy, content, nervous, anxious, and scared, so that the called party can see it before the called party accepts the call; thus increasing the quality of service.

Regarding claim 49, Paakkonen discloses the portable communication device according to claim 43, where the control unit is further to select at least one media object ("a ringing image identifier may be selected by the user of the originating mobile station" see [0026]) for use in alerting a called party of a phone call (fig. 8, step 812 and [0048]-[0049]) and provide the media object for transmission to a called party phone, and

the communication unit is to transmit the media object to the called party phone during the setting up of the voice connection ("transmitted to terminating mobile station 130 in connection with call establishment" see [0024]).

Regarding claim 50, Paakkonen discloses the portable communication device according to claim 43, where the portable communication device includes a cellular phone ("mobile phones" see [0024]).

Regarding claim 51, Paakkonen discloses a computer readable medium ("Memory 230 and SIM 240 may provide storage for programs" see [0035]), storing thereon computer program code, to make a portable communication device perform, when said computer program code is executed by the portable communication device, a method comprising:

selecting, by the a calling party, at least one call relevance flag ("a ringing image identifier may be selected by the user of the originating mobile station" see [0026]) for use in alerting a called party of a phone call (fig. 8, step 812 and [0048]-[0049]), requesting a setting up of a voice connection to a called party phone ("originating mobile station 100 to initiate call establishment" see [0025]), and

transmitting said at least one call relevance flag to the called party phone during the setting up of the voice connection ("transmitted to terminating mobile station 130 in connection with call establishment" see [0024]), the call relevance flag being used for selecting a manner of alerting the called party of the phone call provided over the voice connection (fig. 8, step 812 and [0048]-[0049]).

Paakkonen does not specifically disclose the at least one relevance flag indicating a mood of the calling party. However, Paakkonen teaches that the calling party can select a specific alerting message (read on the claimed limitation "call relevance flag") such as a specific ringing image which can be a picture ("a ringing image identifier may be selected by the user of the originating mobile station 100 from a plurality of ringing image identifiers stored in station 100 and transmitted as part of the ringing image call setup message 102" see [0026]) and/or text ("selecting one or more

files such as audio, images/video, text, etc.” see [0042] and “each ringing image may include data comprising a combination of sound and images/video coupled with text together with a format for presenting such multimedia to the user” see [0031]); therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the teaching of Paakkonen for sending a specific alerting message to the called party in such a way that the called party can perceive a mood of the calling party based on the sense of the alerting message, which can be selected from pre-stored information or written by the calling party. Thus increasing the quality of service as the called party can predict or perceive the mood of the calling party before he/she accepts the call.

Regarding claim 52, Paakkonen discloses a computer readable medium (“Memory 230 and SIM 240 may provide storage for programs” see [0035]) comprising: computer program code (“program... application” see [0035]) to make a portable communication device perform, when said computer program code is executed by the portable communication device (“Memory 230 and SIM 240 may provide storage for programs” see [0035]), a method comprising:

selecting, by a calling party at least one call relevance flag (“a ringing image identifier may be selected by the user of the originating mobile station” see [0026]) for use in alerting a called party of a phone call (fig. 8, step 812 and [0048]-[0049]), and at least order the setting up a voice connection to a called party phone (“originating mobile station 100 to initiate call establishment” see [0025]) and transmission of said at least

one call relevance flag to the called party phone during the setting up of the voice connection ("transmitted to terminating mobile station 130 in connection with call establishment" see [0024]), such that the call relevance flag can be used for selecting a manner of alerting the called party of the phone call provided over the voice connection (fig. 8, step 812 and [0048]-[0049]).

Paakkonen does not specifically disclose the at least one relevance flag indicating a mood of the calling party. However, Paakkonen teaches that the calling party can select a specific alerting message (read on the claimed limitation "call relevance flag") such as a specific ringing image which can be a picture ("a ringing image identifier may be selected by the user of the originating mobile station 100 from a plurality of ringing image identifiers stored in station 100 and transmitted as part of the ringing image call setup message 102" see [0026]) and/or text ("selecting one or more files such as audio, images/video, text, etc." see [0042] and "each ringing image may include data comprising a combination of sound and images/video coupled with text together with a format for presenting such multimedia to the user" see [0031]); therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the teaching of Paakkonen for sending a specific alerting message to the called party in such a way that the called party can perceive a mood of the calling party based on the sense of the alerting message, which can be selected from pre-stored information or written by the calling party. Thus increasing the quality of service as the called party can predict or perceive the mood of the calling party before he/she accepts the call.

Regarding claim 53, Paakkonen discloses a method of using a call relevance flag ("send a ringing image call set-up message" see [0024] and [0026]; or "flag" see [0028] and [0047]) received in relation to a call (fig. 8, step 802 and [0046]), the method comprising:

receiving a call relevance flag from a calling party phone during a set up of a voice connection (fig. 8, step 802 and [0046]), selecting a manner of alerting a called party based on the call relevance flag (fig. 8, step 808 and [0048]-[0049]), and alerting the called party about the call in the selected manner (fig. 8, step 812 and [0048]-[0049]).

Paakkonen does not specifically disclose the call relevance flag corresponding to a mood of the user. However, Paakkonen teaches that the calling party can select a specific alerting message (read on the claimed limitation "call relevance flag") such as a specific ringing image which can be a picture ("a ringing image identifier may be selected by the user of the originating mobile station 100 from a plurality of ringing image identifiers stored in station 100 and transmitted as part of the ringing image call setup message 102" see [0026]) and/or text ("selecting one or more files such as audio, images/video, text, etc." see [0042] and "each ringing image may include data comprising a combination of sound and images/video coupled with text together with a format for presenting such multimedia to the user" see [0031]); therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the teaching of Paakkonen for sending a specific alerting message to the called party in

such a way that the called party can perceive a mood of the calling party based on the sense of the alerting message, which can be selected from pre-stored information or written by the calling party. Thus increasing the quality of service as the called party can predict or perceive the mood of the calling party before he/she accepts the call.

Regarding claim 54, Paakkonen discloses the method according to claim 53, where the call relevance flag is received during a signaling phase for setting up the connection (fig. 8, step 802 and [0046]).

Regarding claim 55, Paakkonen discloses the method according to claim 53, where the selecting comprises: selecting at least one media object corresponding to the call relevance flag (fig. 8, step 808 and [0048]-[0049]), and where the alerting comprises: using the media object for alerting the called party (fig. 8, step 812 and [0048]-[0049]).

Regarding claim 56, Paakkonen discloses the method according to claim 55, where said at least one media object includes a ring tone and where the alerting comprises using the ring tone for alerting the called party (fig. 8, step 812 and [0048]-[0049]).

Regarding claim 57, Paakkonen discloses the method according to claim 55, where said at least one media object includes a piece of text and where the alerting

comprises displaying that text when alerting the called party ("text" see [0043] and fig. 8, step 812).

Regarding claim 58, Paakkonen discloses the method according to claim 55, where said at least one media object includes an image and where the alerting comprises displaying the image when alerting the called party (fig. 8, step 812 and [0048]-[0049]).

Regarding claim 61, Paakkonen discloses the method according to claim 53, where the receiving comprises:

receiving a media object from the calling party phone during the set up of the voice connection (fig. 8, step 802 and [0046]) and where the method further comprises:

alerting the called party using the media object (fig. 8, step 812 and [0048]-[0049]).

Regarding claim 62, Paakkonen discloses a portable communication device (fig. 3) for using a call relevance flag ("send a ringing image call set-up message" see [0024] and [0026]; or "flag" see [0028] and [0047]) received in relation to a call (fig. 8, step 802 and [0046]), the portable communication device comprising:

a communication unit (fig. 3, 375) to receive a call relevance flag (fig. 8, step 802 and [0046]-[0048]) from a phone of a calling party during a set up of a voice connection

("transmitted to terminating mobile station 130 in connection with call establishment" see [0024]),

a control unit (fig. 3, 320) to select a manner of alerting a called party based on the call relevance flag (fig. 8, step 808 and [0048]-[0049]), and

at least one alerting unit (fig. 3, 300 and 350) to alert the called party in the selected manner of a call being made via the voice connection (fig. 8, step 812 and [0048]-[0049]).

Paakkonen does not specifically disclose the call relevance flag corresponding to a mood of the user. However, Paakkonen teaches that the calling party can select a specific alerting message (read on the claimed limitation "call relevance flag") such as a specific ringing image which can be a picture ("a ringing image identifier may be selected by the user of the originating mobile station 100 from a plurality of ringing image identifiers stored in station 100 and transmitted as part of the ringing image call setup message 102" see [0026]) and/or text ("selecting one or more files such as audio, images/video, text, etc." see [0042] and "each ringing image may include data comprising a combination of sound and images/video coupled with text together with a format for presenting such multimedia to the user" see [0031]); therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the teaching of Paakkonen for sending a specific alerting message to the called party in such a way that the called party can perceive a mood of the calling party based on the sense of the alerting message, which can be selected from pre-stored information or



written by the calling party. Thus increasing the quality of service as the called party can predict or perceive the mood of the calling party before he/she accepts the call.

Regarding claim 63, Paakkonen discloses the portable communication device according to claim 62, where the communication unit is to receive the call relevance flag during a signaling phase for setting up the voice connection (fig. 8, step 802 and [0046]).

Regarding claim 64, Paakkonen discloses the portable communication unit according to claim 62, where the control unit, when selecting, is to select at least one media object corresponding to the call relevance flag (fig. 8, step 808 and [0048]-[0049]) and where the at least one alerting unit alerts the called party using the media object (fig. 8, step 812 and [0048]-[0049]).

Regarding claim 65, Paakkonen discloses the portable communication unit according to claim 64, where the alerting unit includes a display, a vibrator, a speaker, an earphone or a microphone (fig. 3).

Regarding claim 66, Paakkonen discloses the portable communication device according to claim 64, where said at least one media object includes a piece of text, and where the at least one alerting unit includes a display that is to display the text when alerting the called party ("text" see [0043] and fig. 8, step 812).

Regarding claim 67, Paakkonen discloses the portable communication device according to claim 64, where said at least one media object includes an image, and where the at least one alerting unit includes a display that is to display the image when alerting the called party (fig. 8, step 812 and [0048]-[0049]).

Regarding claim 68, Paakkonen discloses the portable communication device according to claim 64, where said at least one media object includes a ring tone, and where the at least one alerting unit comprises a speaker and a ring tone generating unit to use the ring tone for alerting the called party (fig. 8, step 812 and [0048]-[0049]).

Regarding claim 71, Paakkonen discloses the portable communication device according to claim 62, where the communication unit is further to receive a media object from the calling party phone during the set up of a voice connection (fig. 8, step 802 and [0046]) and the at least one alerting unit is further to alert the called party of a call being made via the voice connection using the received media object (fig. 8, step 812 and [0048]-[0049]).

Regarding claim 72, Paakkonen discloses the portable communication device according to claim 62, where the portable communication device includes a cellular phone ("mobile phones" see [0024]).

Regarding claim 73, Paakkonen discloses a computer readable medium ("Memory 230 and SIM 240 may provide storage for programs" see [0035]), having stored thereon computer program code, to make a portable communication device perform, when said computer program code is executed by the portable communication device, a method comprising:

receiving a call relevance flag ("a ringing image call set-up message" see [0024] and [0026]; or "flag" see [0047]) from a phone of a calling party during a set up of a voice connection (fig. 8, step 802 and [0046]),

selecting a manner of alerting a called party of the call based on the call relevance flag (fig. 8, step 808 and [0048]-[0049]), and

alerting the called party about the call in the selected manner (fig. 8, step 812 and [0048]-[0049]).

Paakkonen does not specifically disclose the call relevance flag corresponding to a mood of the user. However, Paakkonen teaches that the calling party can select a specific alerting message (read on the claimed limitation "call relevance flag") such as a specific ringing image which can be a picture ("a ringing image identifier may be selected by the user of the originating mobile station 100 from a plurality of ringing image identifiers stored in station 100 and transmitted as part of the ringing image call setup message 102" see [0026]) and/or text ("selecting one or more files such as audio, images/video, text, etc." see [0042] and "each ringing image may include data comprising a combination of sound and images/video coupled with text together with a format for presenting such multimedia to the user" see [0031]); therefore, it would have

been obvious to one of ordinary skill in the art at the time the invention was made to use the teaching of Paakkonen for sending a specific alerting message to the called party in such a way that the called party can perceive a mood of the calling party based on the sense of the alerting message, which can be selected from pre-stored information or written by the calling party. Thus increasing the quality of service as the called party can predict or perceive the mood of the calling party before he/she accepts the call.

Regarding claim 74, Paakkonen discloses a computer readable medium ("Memory 230 and SIM 240 may provide storage for programs" see [0035]) comprising computer program code to make a portable communication device perform, when said computer program code is executed by the portable communication device, a method comprising:

receiving a call relevance flag ("a ringing image call set-up message" see [0024] and [0026]; or "flag" see [0047]) from a phone of a calling party during a set up of a voice connection (fig. 8, step 802 and [0046]),

selecting manner of alerting a called party of a call based on the call relevance flag (fig. 8, step 808 and [0048]-[0049]), and

alerting the called party about the call in the selected manner (fig. 8, step 812 and [0048]-[0049]).

Paakkonen does not specifically disclose the call relevance flag corresponding to a mood of the user. However, Paakkonen teaches that the calling party can select a specific alerting message (read on the claimed limitation "call relevance flag") such as a

specific ringing image which can be a picture ("a ringing image identifier may be selected by the user of the originating mobile station 100 from a plurality of ringing image identifiers stored in station 100 and transmitted as part of the ringing image call setup message 102" see [0026]) and/or text ("selecting one or more files such as audio, images/video, text, etc." see [0042] and "each ringing image may include data comprising a combination of sound and images/video coupled with text together with a format for presenting such multimedia to the user" see [0031]); therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the teaching of Paakkonen for sending a specific alerting message to the called party in such a way that the called party can perceive a mood of the calling party based on the sense of the alerting message, which can be selected from pre-stored information or written by the calling party. Thus increasing the quality of service as the called party can predict or perceive the mood of the calling party before he/she accepts the call.

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a) Gotou discloses that "the selective call receiver is provided with a memory storing a plurality of patterns each representing a different face look, for example, a joyful face, an angry face, a tearful face and the like." (see specification).

b) Akoki discloses that "when the mobile communication apparatus receives a text message including the character string "Happy birthday", the mobile communication

apparatus carries out the operation to ring a song "Happy birthday to you" by the sound-emitting unit 56" (see specification).

c) Randall discloses that "it can influence and inform the person receiving an incoming call as it can be used by that call recipient to assess the subject of the call, its urgency, the mood of the caller and any other item input by the caller which more fully defines the context of the call" (see specification).

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy Q Phan whose telephone number is 571-272-7924. The examiner can normally be reached on 9AM-7:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Huy Q Phan/  
Primary Examiner, Art Unit 2617  
Date: 10/22/2009